

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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To: Field Managers, Nevada

From: Deputy State Director, Natural Resources, Lands, and Planning

Subject: Use of Weed Free Forage on Public Lands

Many of the Field Offices have requested information on Nevada's weed free forage program. This memorandum will summarize the current status of the program and provide guidance on the use of certified weed free forage in BLM-sponsored or BLM-permitted programs.

Washington Office (WO) requested several years ago that each State Director implement a Supplemental Rule to prohibit the use of forage or straw products on public lands which are not certified as free of weeds. As a result, Nevada BLM published a proposed Supplemental Rule in the Federal Register in 2000 requiring forage and straw products to be certified as free of the weeds on the Nevada Department of Agriculture's Noxious Weed List. In addition, the rule adopted the certification standards that are established by the North American Weed Management Association (NAWMA). Briefly, the standards specify prohibited weed species, forage inspection procedures, inspection certification, and transit certification. A complete description of the standards may be found at <http://www.nawma.org>.

The Final Supplemental Rule was originally to have been implemented shortly after the comment period on the proposed Supplemental Rule had closed. However, concerns arose relating to the proper regulatory authority to be used in enforcement of the rule and WO has agreed to provide guidance to the states. When this guidance is received, a Final Supplemental Rule will be issued.

Until such time, Nevada BLM has no formal prohibition against using non-certified forage or straw on the public lands. In the interim, when applicable Field Offices should include special stipulations requiring weed free products in permit actions, i.e., a Special Recreation Permit for a horse endurance race where horses are fed on public lands. Further, BLM should set a proper example by utilizing

certified weed free forage or straw in our resource management activities

whenever such certified weed free products are reasonably available, i.e., straw products for erosion control and surface reclamation projects, or hay for saddle horses provided by BLM for rangeland management activities.

In conclusion, BLM Nevada plans to issue the Supplemental Rule requiring weed free forage and straw products as soon as WO direction is received on enforcement authority. Field Managers will be notified far in advance of final rule making and the Office of Communications will provide public notification through press releases.

Questions should be directed to Ted Angle at (775) 861-6401.

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